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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,148	11/24/2003	Renata Chabot	6536-0301	1147

24936 7590 02/17/2006

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EXAMINER

GARCIA, ERNESTO

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/707,148			

EXAMINER

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PAPER

20060213

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Commissioner for Patents

The reply brief filed February 6, 2006 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-272-7083. The examiner can normally be reached from 9:30-5:30. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.G.  
February 13, 2006

DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600



Attorney Docket No: 6536-0301

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Chabot  
Serial No: 10/707148  
Filed: November 24, 2003  
Art Unit: 3679  
Examiner: Ernesto Garcia  
For: Method for Limiting the Movement of an Infant in a Particular Direction

**REPLY BRIEF**

This paper is in response to the Examiner's Answer mailed January 11, 2006.

**Introduction**

A petition to make special was filed for the application on appeal. A decision granting the petition was made November 3, 2005. Applicant respectfully asks the Board to handle this appeal on a special basis.

Applicant's reply to the examiner's two grounds of rejection are presented below.

**1. Rejections based on Section 112, 2<sup>nd</sup> paragraph**

As in the prosecution stage, the examiner's answer continues to rely on his unsupported opinion rather than objective reasoning and legal precedent. Applicant's arguments, supported by case law were not addressed.

On page 6 of the examiner's answer, the examiner restates his rejection based on section 112, 2<sup>nd</sup> paragraph that there is no standardized depth which prevents an infant from attempting to cross while still allowing older children and adults to step across. The examiner completely fails to address appellant's argument that: a) breadth is not indefiniteness, *In re Robins*, 166 USPQ 552 (CCPA 1970); and, b) that the pending claims must be given the broadest reasonable interpretation consistent with the specification. MPEP§2173.05(a).

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